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CLERK

IN THE

Supreme Court of the United States

OCTOBER TERM, 1941.

No. ~~948~~ 24

MARINE HARBOR PROPERTIES, INC.,

Petitioner,

vs.

MANUFACTURERS TRUST COMPANY (successor by merger to The Mortgage Corporation of New York), as trustee for the benefit of certificate holders in mortgage guaranteed by Bond and Mortgage Guarantee Company, Guarantee #181,568,

MAURICE RUBINGER, trustee of Marine Harbor Properties, Inc.,

SAMUEL SILVERMAN, additional trustee of Marine Harbor Properties, Inc.,

MORTIMER RUBENSTEIN, Foreclosure-receiver,

and

SECURITIES AND EXCHANGE COMMISSION.

BRIEF OF MORTIMER RUBENSTEIN, FORECLOSURE RECEIVER

HAROLD STERN,
Attorney for Mortimer Rubenstein, Foreclosure Receiver.

GEORGE ROSLING,
Of Counsel.

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vs.

MANUFACTURERS TRUST COMPANY (successor by merger to The Mortgage Corporation of New York), as trustee for the benefit of certificate holders in mortgage guaranteed by Bond and Mortgage Guarantee Company, Guarantee #184,568,

MAURICE RUBINGER, trustee of Marine Harbor Properties, Inc.,

SAMUEL SILVERMAN, additional trustee of Marine Harbor Properties, Inc.,

MORTIMER RUBENSTEIN, Foreclosure-receiver,

and

SECURITIES AND EXCHANGE COMMISSION.

BRIEF OF MORTIMER RUBENSTEIN, FORECLOSURE RECEIVER

STATEMENT

Mortimer Rubenstein, the Receiver appointed in foreclosure proceedings in the State Court brought by the Manufacturers Trust Company, etc., as trustee, for the benefit of certificate holders, and one of the appellees below,

adopts and concurs in the position taken by Manufacturers Trust Company, as trustee, and rests upon the brief to be submitted by said Trust Company.

Dated, New York, March 9, 1942.

HAROLD STERN,
Attorney for Mortimer Rubenstein, Foreclosure Receiver.

GEORGE ROSLING,
Of Counsel.